1942.

K

File No. B. Regs/42

Legal Deptt.

B **BRANCH**

Subject:— Governor's Bill no. X of 1942

A Bill to amend the Indian Registration Act 1908 in its application to the Province of Bombay.

P. 7. E.

(Amd. of s. 28)

Bom. Act X of 1942

File No. B. Regs/42

No. 2956.

Legal Department.

Bombay Castle, 6th April 1942.

From

P. N. Moos, Esquire, Bar-at-Law, I.C.S.,

Secretary to the Government of Bombay.

To

The Secretary to the Governor of Bombay.

Subject:- A Bill to amend the Indian Registration Act, 1908, in its application to the Province of Bombay.

Sir,

With reference to your Memo. No. 201(50) dated the 27th January 1942 addressed to the Revenue Department on the above subject. I am directed to forward herewith for the assent of His Excellency the Governor, a fair copy of the Bill to amend the Indian Registration Act, 1908, in its application to the Province of Bombay, prepared by His Excellency the Governor under paragraph (2) of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935.

2. The Bill does not affect any special responsibility of the Governor under section 52(1) of the Government of India Act, 1935, or fall within the purview of clause (a), (b), (c) or (d) of paragraph XVII of the Instrument of Instructions to the Governor of Bombay.

3. The subject-matter of the Bill falls under entry No. 6 in the Concurrent Legislative List in the Seventh Schedule to the Government of India Act, 1935. The Bill does not, however, contain any provision repugnant to the provisions of any earlier Federal law or existing Indian law with respect to any matter enumerated in the Concurrent Legislative List. It is not, therefore, necessary to reserve the Bill for consideration

of the Governor General with reference to para.(2) of the Proclamation and section 107(2) of the Government of India Act, 1935.

4. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

5. I am also to forward herewith one spare copy of the Bill.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- P.N.M.
4.4.
For Secretary to the Government of Bombay,
Legal Department.

Through

The Secretary to the Government of Bombay

Revenue Department.

V.M.D./16.3
40.

No. 201(50).

Office of the Governor's Secretary,
Government House,

Bombay, 17th April 1942.

From:

J.B. Irvin, Esquire, D.S.O., M.C., I.C.S.,
Secretary to the Governor of Bombay.

To:

The Secretary to Government,
Legal Department, Bombay.

Subject:- A Bill to amend the Indian Registration Act, 1908, in its application to the Province of Bombay.

Sir,

With reference to your letter No. 2956, dated the 6th April 1942, I am directed to return herewith the copy of the Bill to amend the Indian Registration Act, 1908, in its application to the Province of Bombay, prepared by His Excellency the Governor under paragraph (2) of the Proclamation, dated the 4th November 1939, issued by him under Section 93 of the Government of India Act, 1935, and to state that under the provisions of the aforesaid paragraph, His Excellency the Governor is pleased to declare that he assents to the Bill in the name of His Majesty.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/-
Secretary to the Governor of Bombay.

W.R.D./16.6
40.

Publication of the Indian Registration (Bombay Amendment) Act, 1942.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 3414
Bombay Castle, 21st April 1942.

Letter to the Secretary to the Governor, No. 2956, dated the 6th April 1942.

Letter from the Secretary to the Governor, No. 201(50), dated the 17th April 1942.

"With reference to your letter No. 2956, dated the 6th April 1942, I am directed to return herewith the copy of the Bill to amend the Indian Registration Act, 1908, in its application to the Province of Bombay, prepared by His Excellency the Governor under paragraph (2) of the Proclamation, dated the 4th November 1939, issued by him under Section 93 of the Government of India Act, 1935, and to state that under the provisions of the aforesaid paragraph, His Excellency the Governor is pleased to declare that he assents to the Bill in the name of His Majesty."

RESOLUTION.— The law should be published as Bombay Act No. X of 1942, in the Bombay Government Gazette dated the 21st April 1942.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Revenue Department.

By order of the Governor of Bombay,
Sd/- B.G.M.
~~Sd/-~~ P.N.Moos,
for Secretary to Government.

To

The Manager, Government Central Press, Bombay, (with a copy of the Act and with a request that 15 gazette copies of the Act may be forwarded to the Legal Department).
The Revenue Department.) With a
*The Oriental Translator to Government.) copy of
The Secretary to the Bombay Legislative Council)) the Act.
The Secretary to the Bombay Legislative Assembly.)

*With five extra copies.

V.M.D./16.8
4c.

No. 3566.

Legal Department.

Bombay Castle, 25th April 1942.

From

P. N. Moos, Esquire, Bar-at-law, I.C.S.,

Secretary to the Government of Bombay;

To

The Secretary to the Governor.

Subject:- Supply of copies of Bombay Act No. X of 1942.

Sir,

With reference to your letters No. 27/6, dated the 8th February 1938 and No. 86-II dated the 29th January 1940, I am directed to forward herewith five copies of the Bombay Act No. X of 1942, assented to by His Excellency the Governor, two of which together with two copies of the connected document noted in the margin are for transmission to the Secretary of State for India.

Governor's Bill No. X of 1942 (A Bill to amend the Indian Registration Act, 1908 in its application to the Province of Bombay).

I have the honour to be,
Sir,
Your most obedient servant,

Sd/-
For Secretary to the Government of Bombay,
Legal Department.

V.H.D./16.8
4a.

K

GOVERNOR'S BILL No. X OF 1941

A Bill to amend the Indian Registration Act, 1908, in its application to the Province of Bombay.

WHEREAS it is expedient to amend the Indian Registration Act, 1908, in its application to the Province of Bombay, for the purpose hereinafter appearing; XVI of 1908.

AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature;

26 Geo. 5 Ch. 2

NOW, THEREFORE, in exercise of the said powers, the Governor of Bombay is pleased to make the following Act:—

1. This Act may be called the Indian Registration (Bombay Amendment) Act, 1941. Short title.

2. In section 28 of the Indian Registration Act, 1908, in its application to the Province of Bombay, for the brackets, letters and word "(*c*), (*cc*) and (*ee*)" the brackets, letters and word "(*c*), (*cc*) and (*ee*)" shall be substituted. Amendment of section 28 of XVI of 1908.

XVI of 1908 (Act)

6M Bk H 1315

STATEMENT.

Section 4(*2*) of Bombay Act XIV of 1939 amended section 28 of the Indian Registration Act, 1908, in its application to the Province of Bombay, by substituting the letters, brackets and word "(*b*), (*c*) and (*ee*)" for the letters, brackets and word "(*b*) and (*c*)" in the said section 28.

2. Subsequently section 3(*b*) of India Act XXXIII of 1940 amended the same section 28 by substituting the word, brackets and letter "(*c*) and (*cc*)" for the word, brackets and letter " and (*c*)". The amendment made in section 28 by India Act XXXIII of 1940 does not, however, fit in with section 28 as amended by Bombay Act XIV of 1939 inasmuch as there was no expression "and (*c*)" in section 28 as applying to the Province of Bombay when India Act XXXIII of 1940 was passed. The object of the present amendment is to remove this purely verbal incongruity.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Registered No. B-1

The
Bombay Government Gazette

PUBLISHED BY AUTHORITY

TUESDAY, 21ST APRIL 1942.

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART IV.

(1) Acts of the Local Legislature of the Bombay Province and (2) Acts of the Indian Legislature assented to by the Governor General.

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BOMBAY ACT No. X OF 1942—An Act to amend the Indian Registration Act, 1908, in its application to the Province of Bombay ... 153-154

The following Act made by the Governor of Bombay in exercise of the powers vested in him by virtue of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, having been assented to by him on the 17th April 1942 is hereby published for general information.

P. N. MOOS,

Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. X OF 1942.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 21st April 1942.)

An Act to amend the Indian Registration Act, 1908, in its application to the Province of Bombay.

WHEREAS it is expedient to amend the Indian Registration Act, 1908, in its application to the Province of Bombay, for the purpose hereinafter appearing;

XVI of 1908.

AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature;

26 Geo, 5 ch. 2.

NOW, THEREFORE, in exercise of the said powers, the Governor of Bombay is pleased to make the following Act:—

1. This Act may be called the Indian Registration (Bombay Amendment) Act, 1942. Short title.

2. In section 28 of the Indian Registration Act, 1908, in its application to the Province of Bombay, for the brackets, letters and word "(*c*) and (*ee*)" the brackets, letters and word "(*c*), (*cc*) and (*ee*)" shall be substituted. Amendment of section 28 of Act XVI of 1908.

XVI of 1908.

STATEMENT.

Section 4 (*2*) of Bombay Act XIV of 1939 amended section 28 of the Indian Registration Act, 1908, in its application to the Province of Bombay, by substituting the letters, brackets and word "(*b*), (*c*) and (*ee*)" for the letters, brackets and word "(*b*) and (*c*)" in the said section 28.

2. Subsequently section 3 (*b*) of India Act XXXIII of 1940 amended the same section 28 by substituting the word, brackets and letters ", (*c*) and (*cc*)" for the word, brackets

and letter "and (*c*)". The amendment made in section 28 by India Act XXXIII of 1940 does not, however, fit in with section 28 as amended by Bombay Act XIV of 1939 inasmuch as there was no expression "and (*c*)" in section 28 as applying to the Province of Bombay when India Act XXXIII of 1940 was passed. The object of the present amendment is to remove this purely verbal incongruity.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.